

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DIVISION OF NORTH CAROLINA  
WESTERN DIVISION

CASE NO: 5:23-mj-02022-KS

)

UNITED STATES OF AMERICA     )     DEFENDANT’S

VS.                                 )     MOTION TO CONTINUE

                                      )     (18 USC 3161 (h)(8))

MARCUS GREENE                 )

Pursuant to 18 U.S.C. 3161 (h)(8) and to Local Rule 4.11, the Defendant respectfully requests that the above-captioned case be continued from the present docket. In support of this motion, the Defendant sets forth the following:

1. The Defendant has not fully retained the attorney.
2. This is the 2<sup>nd</sup> continuance filed by the Defendant in the present case. The Special Assistant United States Attorney does not object to this motion.
3. I understand that if this motion is granted, I must appear in court at 8:00 a.m. on the 12/06/2023 court docket, and that failure to appear may result in the issuance of an arrest warrant.

Nichole Cotton  
Attorney

**INITIAL DOCKET:**

The court finds that the ends of justice served by the granting of such continuance outweigh the best interest of the public in a speedy trial for the following reasons:

☐ Failure to do so would likely result in **miscarriage of justice**.

☐ The **unusual nature or complexity of the case** makes it unreasonable to expect the Defendant to adequately prepare for pretrial proceedings or trial within the time limits set forth in 18 USC 3161.

☐ Failure to do so would deny the Defendant reasonable **time to obtain counsel**.

☒ Failure to do so would unreasonably deny the Defendant **continuity of counsel**.

☐ Failure to do so would deny the Defendant the reasonable **time necessary for effective preparation**, taking into account the exercise of due diligence.

Accordingly, the continuance is ALLOWED. The intervening time from \_\_\_\_\_ to \_\_\_\_\_ is excluded from speedy trial computation under 18 USC 3161.

\_\_\_\_\_  
Date

\_\_\_\_\_  
United States Magistrate Judge

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UNITED STATES OF AMERICA	)	
VS.	)	CERTIFICATE OF SERVICE
	)	
MARCUS GREENE	)	

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a Motion to Continue was served on JAG Officer via Notice of Electronic Filing 11/21/2023.

This is the 21st day of November 2023.

/s/ Nichole M. Cotton  
Attorney for Defendant  
Nichole M. Cotton  
Cotton Law Firm, PLLC.  
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